

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE**

JESUS R. SANCHEZ, on behalf of himself)	
and all others similarly situated,)	
)	
Plaintiffs,)	
)	Case No. 2:11-cv-02548-STA-cgc
v.)	
)	
VERIFIED PERSON, INC.,)	
)	
Defendant,)	
and)	
)	
E-BACKGROUNDCHECKS.COM, INC.,)	
)	
Defendant.)	

**DEFENDANT E-BACKGROUNDCHECKS.COM, INC.'S
UNOPPOSED MOTION TO SUBSTITUTE PROTECTIVE ORDER**

Defendant e-BackgroundChecks.com, Inc. ("BGC") respectfully submits this unopposed motion to substitute protective orders, showing the Court as follows:

1. Plaintiff initially filed his class action Complaint against only Defendant Verified Person, Inc. ("VPI").
2. On February 2, 2012, the Court granted Plaintiff's motion to add BGC as a new party defendant. (Docket No. 23). Plaintiff filed an amended class action Complaint that same day. (Docket No. 24).
3. On February 23, 2012, Plaintiff and Defendant VPI filed a stipulated protective order to govern the protection of confidential information in this case. (Docket No. 28). The Court entered that Order on February 29, 2012. (Docket No. 30).

4. The original protective order was negotiated between Plaintiff and VPI and only binds and governs information exchanged between Plaintiff and VPI.

5. BGC executed a waiver of service on February 28, 2012 (Docket No. 29) and filed its first responsive pleadings on April 9, 2012 (Docket Nos. 42-44).

6. BGC expects that discovery in this case could expose confidential information about how it collects and stores data and operates its business. As such, counsel for BGC has reached out to counsel for Plaintiff and counsel for VPI about modifying the existing protective order to govern information shared between Plaintiff, VPI, and BGC.

7. Specifically, the parties have circulated, commented on, and edited a revised stipulated protective order, which is filed concurrently with this Motion.

8. Entry of the proposed revised protective order, and vacation of the existing protective order (Docket No. 28), will not prejudice Plaintiff or VPI because the new protective order continues to protect information shared between them. Entry of the proposed revised protective order also will not delay the timely resolution of this civil action, which is still in its early stages.

9. Undersigned counsel hereby certifies that counsel for BGC has conferred with counsel for Plaintiff and counsel for VPI and is authorized to represent that neither Plaintiff nor VPI opposes the relief requested in this Motion.

WHEREFORE, BGC respectfully requests that the Court vacate its prior Protective Order (Docket No. 28) and enter the proposed Protective Order as presented to the Judge.

Dated: May 10, 2012

Respectfully submitted,

s/ Angie C. Davis

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CERTIFICATE OF CONSULTATION

The undersigned hereby certifies that on April 23, 2012, Matthew A. Dooley, counsel for Plaintiff, advised John Jett, counsel for e-BackgroundChecks.com, Inc., that Plaintiff does not oppose the relief requested in this Motion. The undersigned further certifies that on April 30, 2012, Eric A. Packel, counsel for Defendant Verified Person, Inc., advised John Jett, counsel for e-BackgroundChecks.com, Inc., that Plaintiff does not oppose the relief requested in this Motion.

s/ Angie C. Davis

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 10th day of May 2012, a copy of the foregoing electronically filed Defendant e-BackgroundChecks.com, Inc.'s Unopposed Motion to Substitute Protective Order was served on the parties listed below via first class mail, postage prepaid, unless said party is a registered CM/ECF participant who has consented to electronic notice, and the Notice of Electronic Filing indicates that Notice was electronically mailed to said party:

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